

Chairmanship of Shri P. Sabanayagam to evaluate the present mechanisms for monitoring the activities of nidhi companies and to suggest improved mechanisms to sustain and strengthen the nidhi companies. As on 31.7.2000 about 93 applications were pending with the Department at various stages. Additional information/documents were called for wherever necessary from the applicant companies. On receipt of report from the Committee these applications will be processed in the light of the suggested yardsticks for approval to facilitate healthy growth of nidhi companies.

Operation of Vacancy Based Roster

1810. SHRI GANDHI AZAD: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that the Supreme Court in case of R.K. Sabharwal Vs. State of Punjab has held that the 'Vacancy Based Rosters' can operate only till such time the representation of persons belonging to the reserved categories reached the prescribed percentage of reservation; and

(b) if so, the services under the Ministry of Law, Justice and Company Affairs and all other Organizations under its control where the representation of persons belonging to the SC/ST categories has reached the prescribed percentage of reservation and because of which 'Post Based Rosters' have been introduced in place of "Vacancy Based Roters"?

THE MINISTER OF STATE OF THE MINISTRY OF INFORMATION AND BROADCASTING AND MINISTER OF STATE OF THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI ARUN JAITLEY): (a) The Supreme Court in R.K. Sabharwal's case (AIR 1995 SC 1371 at page 1375), has held that the operation of the roster and the running account is to be permitted till the prescribed percentage of reservation is reached and the vacancies arising thereafter in the cadre are to be filled from amongst the category of persons to whom the vacancy belong.

(b) The Post-based roster was introduced to implement the Supreme Court's decision in R.K. Sabharwal's case. In the course of implementation of the post-based roster, some shortages and excesses have been found due to the operation of the previous roster and these are being adjusted against future appointments in the new 200 point roster in accordance with Department of Personnel and Training's guidelines.